

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

DANIEL J. LATHROP,	)	8:11CV32
	)	
Petitioner,	)	
	)	
v.	)	<b>MEMORANDUM</b>
	)	<b>AND ORDER</b>
ATTORNEY GENERAL OF	)	
NEBRASKA, and FRED BRITTEN,	)	
	)	
Respondents.	)	

This matter is before the court on Petitioner's Motion for Leave to Appeal In Forma Pauperis (filing no. [21](#)) and Notice of Appeal (filing no. [20](#)). This court already granted Petitioner leave to appeal in forma pauperis on August 31, 2011. (Filing No. [17](#).) The Clerk of court processed Petitioner's appeal the following day. (Filing No. [18](#).) Thus, Petitioner's filings are duplicative.

IT IS THEREFORE ORDERED that:

1. Petitioner's Motion for Leave to Appeal In Forma Pauperis (filing no. [21](#)) is denied as duplicative.
2. The Clerk of the court is directed not to process Petitioner's duplicative Notice of Appeal and to send a copy of this Memorandum and Order to the Eighth Circuit Court of Appeals.

DATED this 28<sup>th</sup> day of September, 2011.

BY THE COURT:

s/ Joseph F. Bataillon  
Chief United States District Judge